

**The Colorado River Commission of Nevada (Commission) meeting was held at 1:30 p.m. on Tuesday, March 12, 2024, at the Clark County Government Center, Commission Chambers, 500 South Grand Central Parkway, Las Vegas, NV 89155.**

**COMMISSIONERS IN ATTENDANCE**

Chairwoman	Puoy K. Premsrirut
Vice Chairwoman	Kara J. Kelley
Commissioner	Cody Winterton
Commissioner	Allen J. Puliz
Commissioner	Dan H. Stewart

**COMMISSIONERS PRESENT VIA TELECONFERENCE**

Commissioner	Justin Jones
--------------	--------------

**COMMISSIONER NOT IN ATTENDANCE**

Commissioner	Marilyn Kirkpatrick
--------------	---------------------

**DEPUTY ATTORNEY(S) GENERAL**

Special Counsel, Attorney General	Michelle D. Briggs
Special Counsel, Attorney General	David Newton

**COMMISSION STAFF IN ATTENDANCE**

Executive Director	Eric Witkoski
Senior Assistant Director	Sara Price
Assistant Director, Energy Information Systems	Kaleb Hall
Assistant Director, Engineering and Operations	Bob Reese
Assistant Director, Finance and Administration	Douglas N. Beatty
Assistant Director, Hydropower	Gail Bates
Assistant Director, Natural Resources	Warren Turkett, Ph.D.
Chief Accountant	Gail L. Benton
Coordinator, Energy Operations	Ken Mayer
Energy Management Data Analyst	Rebecca Suafoa
Natural Resource Specialist	Danielle E. Greene
Power Facility Manager	Shae D. Pelkowski
Senior Power Facilities Electrician	Walter Shupe
System Coordinator	Chris Smith
Executive Assistant Manager	Gina L. Goodman
Office Manager	Noah Fischel
Administrative Assistant III	Tamisha Randolph
Administrative Assistant II	Joshua Cleveland

## **OTHERS PRESENT: REPRESENTING**

Burns and McDonnell  
City of Henderson  
College of Southern Nevada  
Las Vegas Valley Water District  
Legislative Counsel Bureau  
Moss Adams  
Overton Power District 5  
Overton Power District 5  
Peak Substation Services, LLC  
QUES  
Self  
Silver State Energy Association  
Southern Nevada Water Authority  
Southern Nevada Water Authority  
Virginia Transformer Corp

Sam Kraemer  
Christopher Boyd  
Tina Dobbs  
Brittany Cermak  
Justin Luna  
Keith Simovic  
Jon Dunninghoff  
MeLisa Garcia  
Jason Harris  
Eric Manuel  
Andy Nicewicz  
Scott Krantz  
Laura Browning  
Jordan Bunker  
Sunny Swarna

**COLORADO RIVER COMMISSION OF NEVADA**

**MEETING OF**

**MARCH 12, 2024**

**INDEX**

<b><u>Agenda Item No.</u></b>	<b><u>Subject</u></b>	<b><u>Page</u></b>
A.	Roll Call / Conformance to Open Meeting Law.....	1
B.	Comments from the public. Members of the public are invited to comment on items on the meeting agenda. (No action may be taken on a matter raised during public comment until the matter itself has been specifically included on an agenda as an item for possible action).....	1
C.	For Possible Action: Approval of minutes of the December 12, 2023, meeting.....	1
D.	For Possible Action: Selection of Vice Chair of the Commission.....	1
E.	<i>For Possible Action:</i> Consideration of and possible action to accept the Commission's Annual Comprehensive Financial Report for Fiscal Year 2023, and report and comments from the Finance and Audit Subcommittee members regarding the report based on the presentation by Moss Adams to the Subcommittee meeting on February 13, 2024. ....	1
F.	<i>For Possible Action:</i> Consideration of and possible action to approve the transfer from the Colorado River Commission of Nevada to the City of Henderson, by Quitclaim Deed, an interest in property on or near Boulder Highway in Henderson, Nevada.....	2
G.	<i>For Possible Action:</i> Consideration of and possible action to approve contract CRCMH-01 between successful bidder, Ritz Instrument Transformers, Inc., and the Colorado River Commission of Nevada, based on bid solicitation 69CRC-S2585 for the Monthill Substation Project for three Combined Instrument Transformers for a total of \$89,400. ....	3
H.	<i>For Possible Action:</i> Consideration of and possible action to approve contract CRCMH-02 between successful bidder,	

	Virginia Transformer Corp., and the Colorado River Commission of Nevada based on bid solicitation 69CRC-S2540 for Monthill Substation for two Liquid Filled Main Power Transformers for a total of \$3,599,000 .....	3
I.	<i>For Possible Action:</i> Consideration of and possible action to approve contract CRCMH-04 between successful bidder, Peak Substation, LLC, and the Colorado River Commission of Nevada, based on bid solicitation 69CRC-S2538 for Monthill Substation Project for three Gas High-Voltage Circuit Breakers for a total of \$450,000.....	3
J.	<i>For Possible Action:</i> Consideration of and possible action to approve a contract between PAR Western Line Contractors, LLC dba QUES and the Colorado River Commission of Nevada for engineering services in the amount of \$1.2 million for a term of four years.....	4
K.	<i>For Possible Action:</i> Consideration of and possible action to approve a contract between Burns and McDonnell Engineering Company, Inc., and the Colorado River Commission of Nevada for engineering services in the amount of \$1.2 million for a term of four years .....	4
L.	<i>For Possible Action:</i> Consideration of and possible action on office operations and possible options regarding office move from Grant Sawyer Office Building to a new location designated by the Governor's Office, tentatively scheduled to occur before the end of the fiscal year of 2024.....	5
M.	<i>For Information Only:</i> Update on pending legal matters, including Federal Energy Regulatory Commission or Public Utilities Commission of Nevada filings.....	5
N.	<i>For Information Only:</i> Status update from Staff on the hydrological conditions, drought, and climate of the Colorado River Basin, Nevada's consumptive use of Colorado River water, basin negotiations, impacts on hydropower generation, electrical construction activities and other developments on the Colorado River .....	5

O.	Comments from the public. Members of the public are invited to comment on items on the meeting agenda or on items not contained therein. No action may be taken on a matter raised during public comment until the matter itself has been specifically included on an agenda as an item for possible action .....	6
P.	Comments and questions from the Commission members .....	6
Q.	Selection of the next possible meeting date .....	6
R.	Adjournment .....	6

The Colorado River Commission of Nevada (Commission) meeting was called to order by Chairwoman Premsrirut at 1:30 p.m., followed by the pledge of allegiance.

**A. Conformance to Open Meeting Law.**

Executive Director, Eric Witkoski confirmed that the meeting was posted in compliance with the Open Meeting Law.

**B. Comments from the public. Members of the public are invited to comment on items on the meeting agenda or on items not contained therein. No action may be taken on a matter raised during public comment until the matter itself has been specifically included on an agenda as an item for possible action.**

Chairwoman Premsrirut asked if there were any comments from the public. There were none.

**C. For Possible Action: Approval of minutes of the December 12, 2023 meeting.**

Vice Chairwoman Kelley requested the minutes of the December 12, 2023, meeting on hold pending revision.

**D. For Possible Action: Selection of Vice Chair of the Commission.**

Commissioner Puliz moved to approve nominating Commissioner Kara Kelley as Vice Chair. The motion was seconded by Commissioner Stewart and approved unanimously; and a congratulations to Vice Chairwoman Kelley.

**E. For Possible Action: Consideration of and possible action to accept the Commission's Annual Comprehensive Financial Report for Fiscal Year 2023, and report and comments from the Finance and Audit Subcommittee members regarding the report based on the presentation by Moss Adams to the Subcommittee meeting on February 13, 2024.**

Chief of Finance and Administration, Doug Beatty, gave a summary of the audit to the Commission.

Chairwoman Premsrirut asked if any members of the Commission had any comments.

Chairwoman Kelley stated, as the Chair for the Financial and Audit Subcommittee, she wanted to add to what Mr. Beatty had reported.

- The Subcommittee listened to the presentation from Moss Adams and was pleased with their presentation.
- The Commission has received another excellent management audit letter showing no findings and the result continues to speak to the excellent leadership of Staff we have in this area.

- There were just a few issues that Mr. Beatty noted involving the Controller's Office about information that was not ready in time and Mr. Beatty worked with Moss Adams on those issues.
- This is a very healthy process and Moss Adams does a very good job.
- Mr. Beatty in discussions indicated that Moss Adams does not audit the internal controls but does review them.
- Mr. Beatty and the Staff continue to do a review of internal controls every two years and moving forward Commissioner Kelley has requested that Staff share the results with the Commission of those reviews.

**Vice Chairwoman Kelley moved for approval of the Commission's Annual Comprehensive Financial Report for fiscal year 2023 and the report from the Finance and Audit Subcommittee. The motion was seconded by Commissioner Stewart and approved unanimously.**

<p><b>F. <i>For Possible Action: Consideration of and possible action to approve the transfer from the Colorado River Commission of Nevada to the City of Henderson, by Quitclaim Deed, an interest in property on or near Boulder Highway in Henderson, Nevada.</i></b></p>
--

Mr. Witkoski gave a brief overview of the findings on Item F and indicated Staff recommended signing the Quitclaim Deed for the City of Henderson.

Chairwoman Premsrut asked if there were any questions or comments.

Commissioner Winterton indicated he spent some time looking at this issue with Staff and had multiple conversations with the City of Henderson. He indicated he has become comfortable with the transfer. Especially, given the transfer that the State has already made through Nevada Department of Transportation (NDOT), that the City of Henderson's project is a great project, and the right-of-way interest is not something the Commission is going to need.

Vice Chairwoman Kelley, indicated she echoed Commissioner Winterton's comments and given the additional information provided, is comfortable with the transfer.

Chairwoman Premsrut recalled this matter on the agenda last year and some substantial questions were raised. The instructions to Staff were to table it and have Staff do some due diligence and obtain some additional title information. She acknowledged Commissioner Winterton's assistance. She indicated that given the Governor has signed the transfer through NDOT was dispositive for her.

**Commissioner Stewart thanked Commissioner Winterton for his assistance and made a motion to approve. Motion was seconded by Commissioner Kelley and approved unanimously.**

**G. *For Possible Action:* Consideration of and possible action to approve contract CRCMH-01 between successful bidder, Ritz Instrument Transformers, Inc., and the Colorado River Commission of Nevada, based on bid solicitation 69CRC-S2585 for the Monthill Substation Project for three Combined Instrument Transformers for a total of \$89,400.**

**H. *For Possible Action:* Consideration of and possible action to approve contract CRCMH-02 between successful bidder, Virginia Transformer Corp., and the Colorado River Commission of Nevada based on bid solicitation 69CRC-S2540 for Monthill Substation for two Liquid Filled Main Power Transformers for a total of \$3,599,000.**

**I. *For Possible Action:* Consideration of and possible action to approve contract CRCMH-04 between successful bidder, Peak Substation, LLC, and the Colorado River Commission of Nevada, based on bid solicitation 69CRC-S2538 for Monthill Substation Project for three Gas High-Voltage Circuit Breakers for a total of \$450,000.**

Mr. Witkoski introduced Items G through I, for consideration and possible action.

Robert Reese, Assistant Director of Engineering and Operations gave a summary of the need for the contracts and payment schedule under the contracts.

Chairwoman Premsrirut confirmed with Mr. Reese that Southern Nevada Water Authority (SNWA) had approved the prices and process in the contracts.

Chairwoman Premsrirut inquired to what the determining factors were as part of the selection process in selecting a bid.

Mr. Reese indicated Staff has a matrix in place and has an evaluation team that examines performance history, proposed price, delivery schedule, examine the bids and all the information looking for the most qualified bid and contractor. Mr. Reese additionally indicated there are three funding agencies that pay a portion of these projects: SNWA, Clark County Water Reclamation District and the Basic Industrial Customers to some degree.

Chairwoman Premsrirut ask for questions on Items G through I.

Chairwoman Kelley commented she appreciated the information on the payment schedules, how they have changed post COVID and requested additional information regarding contract provisions.

Mr. Reese indicated in the Virginia Transformer Corp. contract there is a percentage escalation clause.

Special Counsel Michelle Briggs indicated that the market has changed and there were some changes to the contracts as a result.



She pointed out Section 32 of the Virginia Transformers Corp. (VTC) contract was negotiated, and a compromise was reached. VTC would be at risk for up to two percent of an increase in costs and for amounts above two percent of the cost of the unit, not to exceed six percent, the Commission may bear the risk for the increase, but the increase must be based on a clear showing of an increase in cost. Ms. Briggs wanted to highlight the possible increase in the cost and make the Commission aware as part of approving the contract that it would be approving the process for the increases. Meaning that if VTC met the criteria, Staff would not have to return to the Commission for additional approval for increases within those parameters.

Chairwoman Premsrirut, to be clear, restated the requirements in the contract, to confirm Ms. Briggs explanation about the risk involved with price increases and the need for clear and convincing evidence to pass on increased cost to the Commission over and above the two percent level.

Commissioner Puliz indicated he has seen similar price increases and experienced problems with availability of equipment on a project he was building in Reno. He inquired what magnitude of increases that Mr. Reese was seeing in the cost of projects.

Mr. Reese indicated he saw increases of 20 to 30 percent.

**Commissioner Puliz made a motion to approve the contracts and Commissioner Kelley seconded the motion. The motion was approved unanimously.**

<b>J.     <i>For Possible Action:</i> Consideration of and possible action to approve a contract between PAR Western Line Contractors, LLC dba QUES and the Colorado River Commission of Nevada for engineering services in the amount of \$1.2 million for a term of four years.</b>
---

<b>K.     <i>For Possible Action:</i> Consideration of and possible action to approve a contract between Burns and McDonnell Engineering Company, Inc., and the Colorado River Commission of Nevada for engineering services in the amount of \$1.2 million for a term of four years.</b>
---

Mr. Witkoski introduced Items J and K for consideration and possible action.

Mr. Reese briefly explained Power Delivery Group's (PDG) operations and the need for the proposed contracts. He highlighted the contracts are enabling and would only be used if needed to service a customer's project.

Chairwoman Premsrirut clarified whether each contract was for \$1.2 million, or the contracts shared a total of \$1.2 million. Mr. Reese indicated that each contract was for \$1.2 million, so the total available for engineering services would be \$2.4 million.

Mr. Witkoski requested that Mr. Reese go over the number of projects his group was working on to illustrate the need for the contracts requested.

Mr. Reese indicated they have multiple projects currently and must look into the future to what is on the horizon. SNWA has several big projects on the horizon for the PDG that will likely need the services of an engineering firm.

Example of projects include Boulder Flat Solar Project for SNWA that requires extending the 230KV system and building a 10-mile transmission line to connect the system to Mead substation.

Mr. Reese also indicated PDG has another project for the Clark County Water Reclamation District, expanding two substation bays and an engineering firm to facilitate that design and support for that project.

Further, there are discussions of projects in the future, and Staff is not sure of the timing. This is the reason for requesting four-year contracts to be in place as the need arises.

**Commissioner Kelley made a motion for approval and Commissioner Puliz seconded the motion. The vote was approved unanimously.**

**L. For Possible Action: Consideration of and possible action on office operations and possible options regarding office move from Grant Sawyer Office Building to a new location designated by the Governor's Office, tentatively scheduled to occur before the end of the fiscal year of 2024**

Mr. Witkoski introduced Item L and gave a brief update on the possible move of the Commission offices from the Grant Sawyer Building to a location at 500 E. Warm Springs. He indicated that the floor plan was still being sorted out and there was a meeting Friday, March 15, 2024 to gather more information.

**M. For Information Only: Update on pending legal matters, including Federal Energy Regulatory Commission or Public Utilities Commission of Nevada filings.**

Mr. Witkoski introduced Item M and referred the matter to Special Counsel David Newton.

Mr. Newton updated the Commission on the Save the Colorado litigation pending in the Ninth Circuit. He indicated the information is basically the same as it was last month, the case had been argued before the Ninth Circuit on February 6, 2024, and no decision has been issued.

**N. For Information Only: Status update from Staff on the hydrological conditions, drought, and climate of the Colorado River Basin, Nevada's consumptive use of Colorado River water, basin negotiations, impacts on hydropower generation, electrical construction activities and other developments on the Colorado River.**

Mr. Witkoski introduced Item N. Warren Turkett, Assistant Director of Natural Resources gave a presentation on the latest hydrology and his Power Point presentation is Attachment A.

Sara Price provided an update on the latest negotiations among the various States regarding future operations of the Colorado River pre-2026 and post-2026.

**O. Comments from the public. Members of the public are invited to comment on items on the meeting agenda or on items not contained therein. No action may be taken on a matter raised during public comment until the matter itself has been specifically included on the agenda as an item for possible action.**

Chairwoman Premsrirut asked if there were any comments from the public. There were none.

**P. Comments and questions from the Commission members.**

Chairwoman asked if there were any comments from the Commission members. There were none.

**Q. Selection of the next possible meeting date.**

The next meeting is tentatively scheduled for 1:30 p.m. on April 9, 2024, at the Clark County Government Center, Commission Chambers, 500 South Grand Central Parkway, Las Vegas, Nevada 89155.

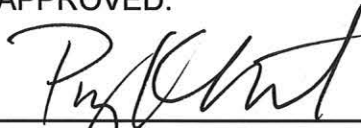
**R. Adjournment.**

The meeting was adjourned at 2:23 p.m.

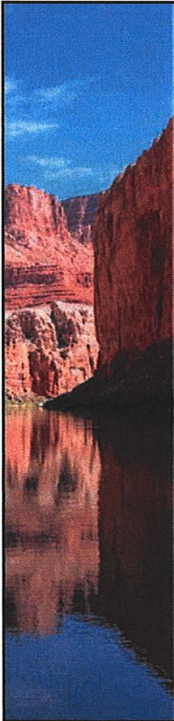


Eric Witkoski, Executive Director

APPROVED:



Puoy K. Premsrirut, Chairwoman

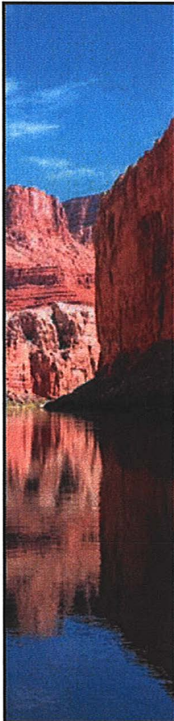


# Colorado River Commission of Nevada

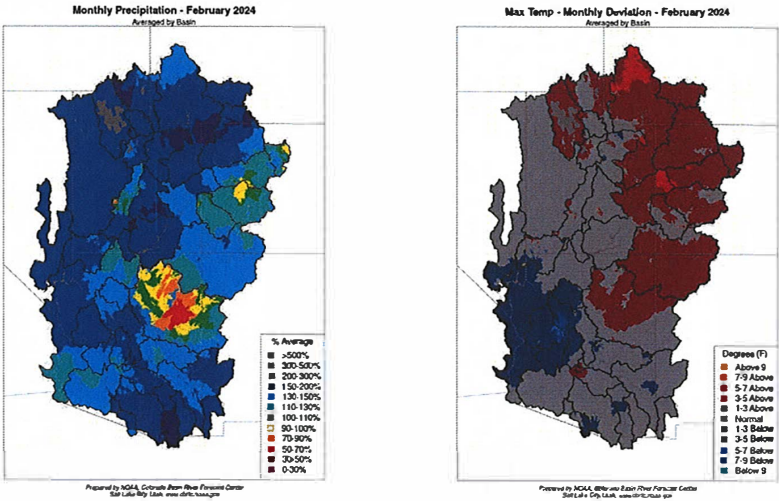
## Hydrology and River Updates

Warren Turkett

March 12, 2024

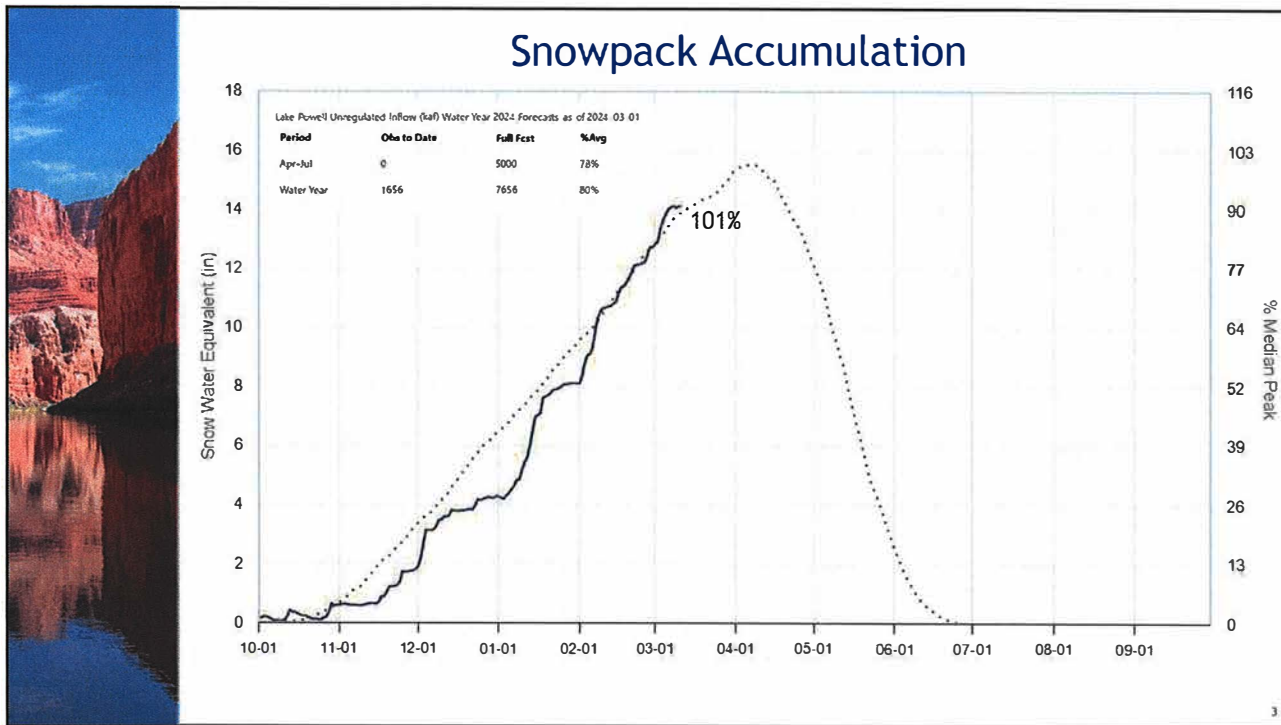


## Precipitation and Temperature

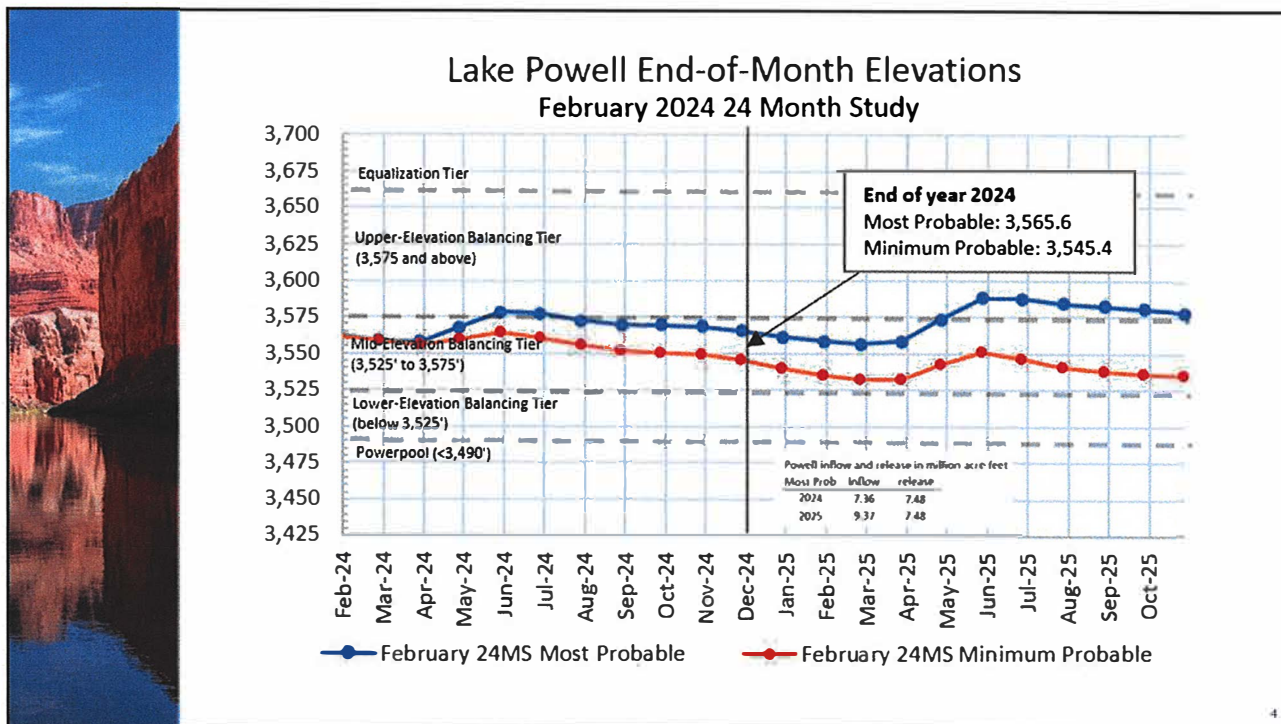


Lake Powell %Average Precipitation Water Year 2024

Area	Oct	Nov	Dec	Jan	Feb	Water Year
UC-Powell	92	56	76	120	137	96

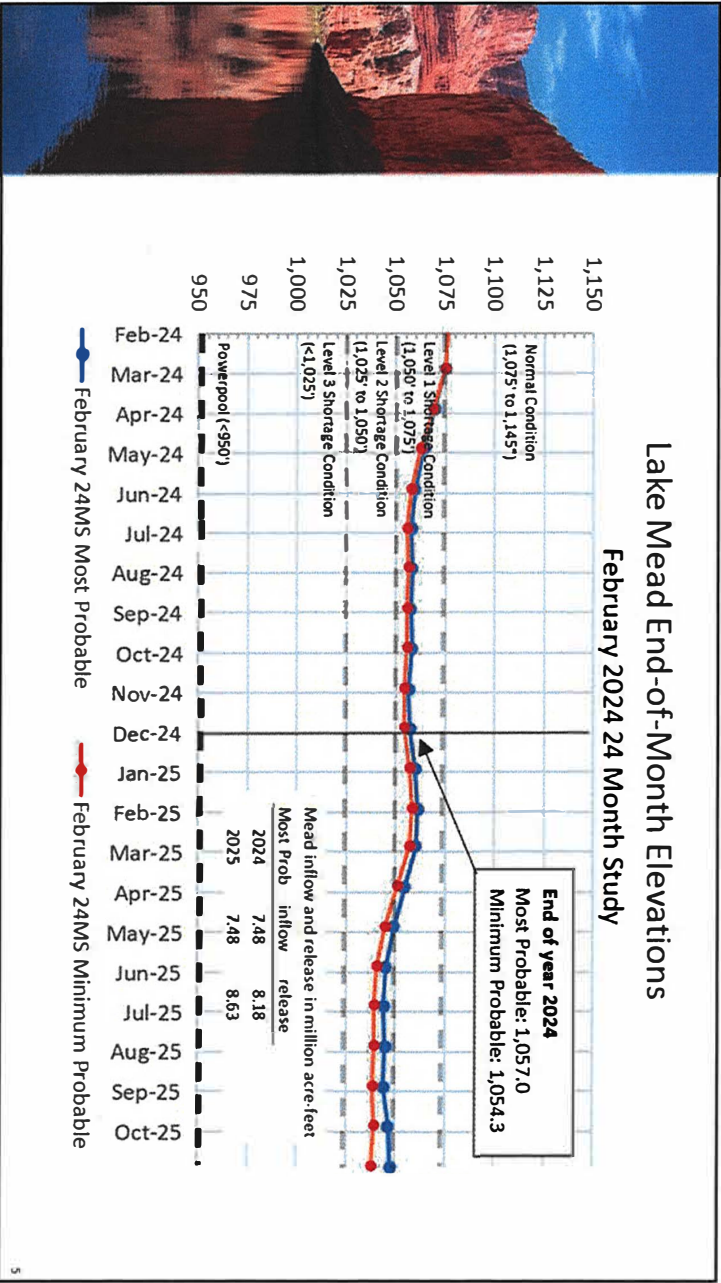


3

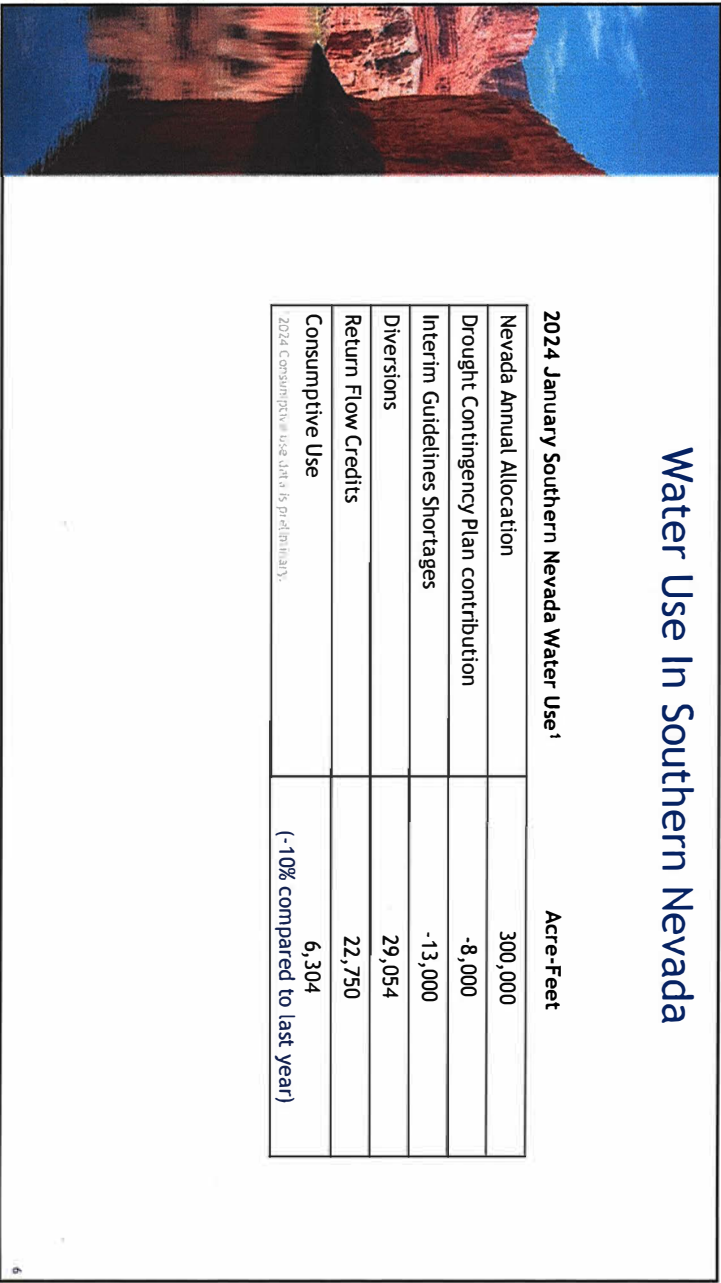


4





5



6